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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,499	02/19/2004	Craig Salter	CA920030127US1	5629
7590 09/07/2007 Diana L. Roberts International Business Machines Intellectual Property Law 11400 Burnet Road Austin, TX 78758			EXAMINER CHAVIS, JOHN Q	
			ART UNIT 2193	PAPER NUMBER
			MAIL DATE 09/07/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/782,499

Applicant(s)

SALTER, CRAIG

Examiner

John Chavis

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 2/19/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 7-8 and 12-16, and 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Carbonell et al/ (6,163,785).

What is claimed is:

Carbonell

1. A method of assisting a user who is editing a markup document on a computer, comprising:

See the title, abstract and col. 7 lines 13-23.

presenting to said user said markup document on a display of said computer for editing; and

See col. 9 lines 19-29.

providing grammatical assistance to said user based on a grammar inferred from current content of said markup document.

See col. 10 lines 12-22 and col. 19 lines 21-44.

2. The method of claim 1 further comprising inferring said grammar from the current content of said document.

See the cited portions above and col. 20 lines 30-37.

3. The method of claim 2 wherein said grammar is inferred automatically.

“ “ “ “

7. The method of claim 2 wherein said inferred grammar is associated with a grammar element appearing in said markup

See the cited portions above and col. 29 lines 1-9.

Art Unit: 2193

document for which an associated real grammar defined in a grammar file is not available.

8. The method of claim 7 further comprising, where possible, providing assistance to said user based on a real grammar defined in a grammar file.

“ “ “ “

12. The method of claim 7 wherein said inferring comprises: constructing a document object model associated with said current content of said document, said document object model comprising a set of grammar elements each associated with one or more portions of said current content of said document; for each grammar element of said set, determining whether said each grammar element is associated with an available real grammar and, if not, inferring one or more grammar rules associated with said each grammar element; and incorporating said inferred one or more grammar rules into said inferred grammar.

“ “ “ “

Claims 13-14, 16, and 19-20 are rejected as claims 1.

In reference to claim 15, see the rejection of claim 2.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

Art Unit: 2193

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-6, and 9-11, 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carbonell in view of the applicant's choice of moving functions from one location to another to achieve the same purpose as originally intended.

4. The method of claim 3 wherein said grammar is inferred after said markup document is loaded into a primary memory of said computer for editing.

Carbonell does not indicate when is inferred; however, it is merely a choice of design to relocate functions to have them execute the same as Originally designed in a different location and therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to switch functions around to different locations to improve processing speed by only evaluating the functions that are actually used.

5. The method of claim 4 wherein said grammar is dynamically updated based on real-time edits to said markup document.

See the runtime feature in col. 28 lines 1-15 and lines 26-32.

6. The method of claim 5 wherein said grammar is only updated after a pre-defined time interval has elapsed since said efficiency. markup document was last edited.

Carbonell does not indicate when updates occur; however, he does indicate that they occur in an attempt to minimize effect on the runtime

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to reduce the frequency of updates to reduce its affect on runtime efficiency.

9. The method of claim 8

Carbonell also does not define the

Art Unit: 2193

wherein said markup document is an extensible markup language (XML) document.

language used as XML; however, he does indicate that it is SGML and Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to merely substitute one markup language for another in order to have access to the specific features of a selected language.

10. The method of claim 9 wherein said real grammar file is an XML schema definition (XSD) file or a data type definition (DTD) file.

“ “ “ “

11. The method of claim 10 wherein when said XML document is associated with a plurality of grammars, each one of said plurality of grammars is associated with a namespace and, for a particular grammar element associated with a particular namespace, assistance related to said particular grammar element is provided to said user based on the grammar associated with said particular namespace.

“ “ “ “

As per claims 17-18, see the rejection of claim 9.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Chavis whose telephone number is (571) 272-3720. The examiner can normally be reached on M-F, 9:00am-5:30pm, EST.

Art Unit: 2193

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jc

A handwritten signature in black ink, appearing to read 'John Chavis'.

John Chavis  
Primary Examiner AU-2193